



The Az POST **Newsletter**

Arizona Peace Officer Standards and Training Board

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Change made to training class requests

An agency training coordinator had a great suggestion at the last Statewide Training Coordinator's meeting held in March 2004 in Scottsdale. The coordinator suggested that the AZ POST training staff hold a "lottery" (random drawing) for each individual calendar class. AZ POST Staff has decided to try this method beginning with the Calendar in July 2004.

Agencies will be able to submit AZ POST Training Request Forms as soon as they receive the new calendar, and continue at their leisure before the cut off date/time of 1700 hours on Friday, July 2, 2004. To be eligible for the lotteries, agencies must fax, mail, or deliver their Training Request Forms to AZ POST prior to the cut off date/time. All requests received after the deadline will be placed on the waiting list on a first-come, first-serve basis.

How will this work? Each class will have a separate random selection process

to ensure fairness. No longer will the first agency get in all of the classes, and the last agency miss all of the classes. Each agency that met the class request deadline will be assigned a number. Those numbers will then be randomly ordered via computer to select the appropriate number of students for the class. This process will then be repeated for each class on its own merit.

The end result will be that all agencies with interest in a class will have the same chance of attending without having the stressful "I have to be the first to fax my form in on the certain date and time and hit redial 100 times!" To avoid diluting each "lottery," it is very important that agencies only submit requests for classes that it needs and will attend.

Agencies will still be limited to the number of slots they are eligible for by their agency size: one slot for 99 or less, two slots for 100 or more.

Meet your Arizona POST Board



Chief Joe Vernier

Since January, 2003, Sedona Chief of Police Joe Vernier has served as a member of the Arizona POST Board representing cities with fewer than 50,000 citizens. Joe brings a wealth of talent, and over 30 years of law enforcement experience to the Board.

Chief Vernier was born in Augsburg, Germany, and raised in a military family. His father was a career "First Shirt" (First Sergeant) with the United States Army, and Joe says that he "saw the world through a porthole," moving frequently between foreign posts including Tokyo and several cities in Germany. Chief Vernier also served a two year tour in the U.S Army, and later served as a member of the Air Force Reserve.

Joe began his law enforcement career in 1971 as a patrolman with the Colorado Springs Police Department. He served that community for 27 years, progressing through the ranks and retiring in 1998. He established a goal of becoming a chief of police, and that quest brought Joe and his wife, Linda, to Sedona in the summer of 1999. They promptly fell in love with the area, and fortunately for both the citizens of Sedona and the Vernier family Joe was appointed as Chief of the Sedona Police Department in June of that year. Linda, who Joe describes as the true entrepreneur in the family, has made a successful career in the Sedona area real estate business.

Two of the Vernier's five adult children followed them to the Verde Valley, and family activities are a top priority for off-duty time. Joe is also

Evaluating pre-employment steroid use

Over the past several months, pre-employment use of steroids has been a topic for the POST Rules Committee. During the discussion, it became evident that there is confusion on how the Board evaluates pre-employment use of steroids. To understand the steroid issue, it is first necessary to understand the drug's legal evolution.

Prior to 1989, steroids were basically unregulated by state law; in 1989, steroids were classified a "prescription only" drug; and finally, on January 1, 1994, steroids were classified in A.R.S. §13-3401 as a "dangerous drug." Keeping with this evolutionary journey, the Board views steroid use as follows:

1. Use before 1989 is irrelevant to the AZ POST rule concerning drug use;
2. Use between 1989 and 1994 is

unlawful conduct if done without a prescription, and can be considered under the abuse of prescription medication rule; and

3. For uses after January 1, 1994, steroids shall be considered a "dangerous drug," and the 7-year window applies and the drug will be included into the aggregate lifetime limit of 5 uses of dangerous drugs.

Per A.A.C. §R13-4-105, Minimum Qualifications for Appointment, the Board has predetermined certain drug use to be experimental - steroid use is no exception. When an agency head wishes to appoint a peace officer whose pre-employment use of steroids exceeds the Board's presumption for experimentation, the agency head may have the Board re-

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A message from Executive Director Tom Hammarstrom

"Why bother with mission statements?"

After much consideration and discussion the Arizona POST Board approved a new mission statement during its January meeting. It reads:

"The mission of the Arizona Peace Officer Standards and Training Board is to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers, and correctional officers."

Creating a mission statement is a difficult task that some may regard as little more than a bureaucratic exercise. One might ask if Arizona POST even needs a mission statement given that its duties and purpose are already provided by Arizona revised statutes. I believe there are several very good reasons for articulating an effective statement of mission.

First, it is a public declaration that informs the citizens we serve about the "products" (public trust and confidence) we produce in exchange for the funds they provide, and helps them decide whether or not there is value in the bargain. More importantly the statement is a continual reminder to the Board and staff of why we are in business so that our decisions and planning conform to our mandate and purpose.

Our mission statement is our administrative foundation, and creating it was a lot more than just another management "exercise." It provides us with useful tools and serves as an affirmation of the important work we do.

Deferred prosecution does not avoid POST disciplinary action

If a peace officer is charged with a misdemeanor offense there is sometimes the opportunity to avoid conviction by entering a diversion program. Officers should be aware that doing so does not prevent a POST disciplinary action, and may actually provide proof of the misconduct.

There are many reasons a person would choose to enter a diversion program. Defending against criminal charges can be expensive and risky. Going to trial carries the risk of being found guilty. A conviction in court, whether by guilty plea, no contest plea, or after trial has the effect of establishing conclusively in any other legal forum that the defendant did in fact commit the offense. Generally, charges will be dismissed if the person charged complies with the counseling and other requirements of a diversion program. NO CRIMINAL CONVICTION.

That does not mean, however, that there are no consequences from entering and completing a deferred prosecution program. In most jurisdictions, the prosecutor requires a guilty plea or an admission of guilt as a prerequisite to entering a program. That admission is available to POST in a disciplinary proceeding.

If an officer admits that he or she committed an offense before a judge, the officer would be hard pressed to then deny it before the POST Board. Even so, the Board has looked more favorably on those who "fess up" when they have made mistakes than those who falsely deny their misconduct. If the underlying conduct is not in and of itself a sure revocation, then taking responsibility and honestly admitting the conduct is often a mitigating factor in the Board's determination of a sanction.

The point of this article is neither to encourage nor dissuade entry into diversion programs. It is just a heads up that there may be collateral ramifications to consider when making a decision about diversion.

Anti-terror class for community

The Arizona Regional Community Policing Institute has been keeping very busy with their 8 hour anti-terrorism training for law enforcement class, as well as classes in domestic violence, ethics and leadership development.

The AZ RCPI recently developed a 2 hour "Homeland Security: Prevention, Detection and Education for the Community" class. This presentation touches on domestic and international terrorism, as well as provides citizens with information on their role and responsibility in recognizing and reporting suspicious activity pertaining to possible terrorist indicators in their communities. If you are interested in sponsoring this class in your community please contact Dan Elting at 602-223-2560 ext. 236. There should be at least 50 participants in each class.

The AZ POST Newsletter is a publication of the:
Arizona Peace Officer Standards and Training Board
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Chief Jerry Sheridan
Deputy Tamatha Villar

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Sheriff Gary Butler
Dr. Michael Polakowski
Sheriff Clarence Dupnik

Bob Forry joins the staff at Arizona POST

We are happy to announce that effective March 29, 2004, Mr. Bob Forry became a member of Arizona POST staff. Bob's initial assignment will be as POST Compliance Administrator where he will oversee the activities of compliance staff members, and manage the Board's disciplinary process.

Mr. Forry brings an outstanding breadth and depth of experience to POST. He was born and raised in Baltimore, and enlisted in the United States Air Force right out of high school. His service brought him to Luke Air Force base where he gained an appreciation for desert living, and decided to make his life in Arizona.

Bob began his law enforcement career in 1971 as a Patrolman with the Glendale Police Department. Twenty-four years and many promotions later he retired as the Glendale Chief of Police, earning his Bachelor's degree from Grand Canyon University along the way.

Bob next served as the White Mountain Apache Tribe's Executive Director of Tribal Gaming, followed by a stint with the Arizona Department of Gaming. In 1998 he accepted a position with the Arizona Department

of Corrections where he served as the Law Enforcement Liaison and Jail Enhancement Fund Administrator. This position gave Bob a number of opportunities to actually sit on the POST Board, representing the Director of Corrections.

Bob and his wife Sylvia make their home in Glendale, and stay busy with four children, and seven grandchildren. Bob enjoys golf and fishing, and he and Sylvia are avid moviegoers.

We are extremely pleased to have Bob and Sylvia as members of the POST family. Feel free to call on him at (602) 223-2514. If you have POST compliance questions he will be the man with the answers.



Bob Forry

Steroids ...

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view the use for a determination of experimentation. In such cases, the agency head must petition the Board as outlined in A.A.C. §R13-4-105.C. as follows:

C. An agency head who wishes to appoint a person whose illegal use of marijuana or a dangerous drug or narcotic drug is presumed to be not for experimentation under this section shall petition the Board for a determination that, given the unique circumstances of the person's use, the use was for experimentation. The petition shall:

a. Specify the type of illegal drugs used, the number of uses, the age at the time of each use, and the method by which the information came to the agency's attention, and any attempt made to verify the accuracy of the information. Those factors may include:

- b. The duration of usage,
- c. The motivation for use,
- d. The time lapse since the last use,
- e. How the drug was obtained,
- f. How the drug was ingested,
- g. Why the applicant stopped using the drug, and

h. Any other factor the agency head believes is relevant to the Board's determination.

Agencies may receive additional information and/or clarification of these or any of the Board's administrative rules by contacting their respective Compliance Specialist at (602) 223-2514.

Vernier ...

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an avid outdoor and fitness enthusiast who enjoys hiking, mountain biking, and competitive running. He has participated in numerous 10K races, and has made an annual event of the Pikes Peak Ascent (a 13-mile run UP Colorado's Pikes Peak).

Chief Vernier sees the maintenance of law enforcement integrity as the most important responsibility of POST, and his leadership in this area provides important direction for Arizona law enforcement.

Driving training simulators purchased

The GE PatrolSim III Driver Training Simulator is capable of providing law enforcement officers with a high-fidelity, interactive mission rehearsal platform for advance patrol car training. Three simulators were recently purchased under a cooperative agreement between AZ POST, AZ DPS and State Risk Management. Approximately half of each month will be designated for other law enforcement agency use. Operators will have to complete special training in addition to being a POST recognized Driver Instructor.

The three simulators can be utilized by three students simultaneously in the same scenario (such as a pursuit) or each in different scenarios. They can simulate various traffic and weather conditions. The simulators are not expected to replace real-time driving practice for officers, but can be used as a tool to sharpen decision-making skills without putting anyone in danger.



Scenarios can be modified or created for particular problems or incidents that an agency may be experiencing.

"Better decision making skills among officers can, in turn, greatly reduce on-duty vehicle crashes, save lives, lessen employee absences due to injuries, and reduce the costs of liability and risk management," says DPS Lt. Dave Myers.

Help needed when new unit tours state with driving simulators

Arizona POST is actively looking for law enforcement agencies to serve as partners to train peace officers with high-tech driving simulators. In the near future POST will be offering a Mobile Driving Training Unit to Arizona agencies. The unit will consist of

two driving simulators with an instructor station that will be trailer-mounted and will include a truck to pull the trailer.

The unit will be utilized to take training on the road to peace officers around Arizona. Everyone is invited to preview an ex-

ample of the mobile training unit at AZ POST, 2643 E. University on May 12. The GE PatrolSim III Driver Training Simulators will be operational from 9:00 am to 3:00 pm. Interested agencies are asked to RSVP Sgt. Rick Watling, 602-223-2560, ext 241 or e-mail at rwatling@azpost.state.az.us.

Arizona Peace Officer Standards & Training Board

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2004 Telecourse Schedule

Date	Time (MST)	Program Title	Satellite Coordinates
May 27 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	Warrant Service & Building Entry Tactics (AZ POST & Cal POST)	TBA
August 26 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	2004 Legal Update	TBA
Sept 23 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	Interview & Interrogation Part 1 (AZ POST & Cal POST)	TBA
Nov 18 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	Interview & Interrogation Part 2 (AZ POST & Cal POST)	TBA

NOTE: Satellite coordinates are not confirmed until 30 days prior to broadcast and if not provided here, they will be provided on the individual flyers for each program. Due to difficulty in obtaining satellite time, WE MAY BE USING SATELLITES WE HAVE NEVER USED BEFORE. PLEASE MAKE SURE YOU CONFIRM THE COORDINATES ARE PROGRAMMED INTO YOUR RECEIVER PRIOR TO THE DAY OF BROADCAST. Coordinates are also provided with the program materials that are mailed the week prior to the broadcast.

For agencies experiencing technical difficulties with their satellite systems or in need of additional operating instructions, troubleshooting information is available online at various satellite user websites, including www.satellite911.com.